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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELISSA M. ROBERTS, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

BLOOM ENERGY CORPORATION, et al.,
Defendants.

Case No. 4:19-cv-02935-HSG

**JOINT STIPULATION AND ORDER TO
EXTEND CASE DEADLINES**

Hon. Haywood S. Gilliam, Jr.

1 Lead Plaintiff James Everett Hunt, additional plaintiffs Juan Rodriguez, Kurt Voutaz, Joel
 2 White, Andrew Austin, and Ryan Fishman (“Plaintiffs”) and Defendants Bloom Energy Corporation
 3 and the Individual Defendants (the “Bloom Defendants”) and Defendants J.P. Morgan Securities
 4 LLC, Morgan Stanley & Co. LLC, Credit Suisse Securities (USA) LLC, KeyBanc Capital Markets
 5 Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Cowen and Company, LLC, HSBC
 6 Securities (USA) Inc., Oppenheimer & Co. Inc., Raymond James & Associates, Inc., and Robert W.
 7 Baird & Co. Incorporated (the “Underwriter Defendants,” and together with the Bloom Defendants,
 8 “Defendants” and together with Lead Plaintiff, the “Parties”), by and through their undersigned
 9 counsel, hereby stipulate as follows:

10 **WHEREAS**, on January 10, 2023, the Parties filed a Joint Notice of Settlement and Stipulation
 11 and Proposed Order to Stay Proceedings and Vacate Hearings Pending Settlement Approval. (Dkt. 215);

12 **WHEREAS**, on January 11, 2023, the Court issued an Order staying the proceedings and
 13 vacating all hearings pending finalization of the settlement documentation and a ruling on Lead
 14 Plaintiff’s Motion for Preliminary Approval of Settlement. The Order stated that if the Motion for
 15 Preliminary Approval of Settlement was not filed by February 14, 2023, the Parties shall file a joint
 16 report regarding the status of settlement by that date. (Dkt. 216);

17 **WHEREAS**, on February 14, 2023, the Parties filed a Joint Stipulation to extend the February
 18 14, 2023 deadline by 30 days to March 16, 2023 (Dkt. 217);

19 **WHEREAS**, on February 14, 2023, the Court entered an Order granting the Stipulation and
 20 extending the deadline either for Plaintiffs to file a Motion for Preliminary Approval of Settlement or for
 21 the Parties to file a joint report regarding the status of the settlement to March 16, 2023 (Dkt. 219);

22 **WHEREAS**, the Parties are in the process of finalizing a comprehensive written Settlement
 23 Agreement, the exhibits and supplemental agreements thereto, and the Motion for Preliminary Approval
 24 of Settlement;


25 **WHEREAS**, the Parties have met and conferred and agree that it would serve the interests of
 26 efficiency and conserve resources to extend the current March 16, 2023 deadline for Plaintiffs to file the
 27 Motion for Preliminary Approval of Settlement or for the Parties to file a joint report regarding the status
 28 of settlement by an additional 32 days to April 17, 2023;

1 **NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE**, pursuant
2 to Civil L.R. 6-2, by and through their undersigned counsel:

- 3 1. The March 16, 2023 deadline either for Plaintiffs to file a Motion for Preliminary
4 Approval of Settlement or for the Parties to file a joint report regarding the status of the
5 settlement shall be extended by 32 days to April 17, 2023.

6 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

7
8
9 **Date:** 3/16/2023


10 **Honorable Haywood S. Gilliam, Jr.**
11 **United States District Court Judge**